

1 JERRY S. BUSBY  
2 Nevada Bar #001107  
3 GREGORY A. KRAEMER  
4 Nevada Bar #010911  
5 COOPER LEVENSON, P.A.  
6 3016 West Charleston Boulevard - #195  
Las Vegas, Nevada 89102  
(702) 366-1125  
FAX: (702) 366-1857  
jbusby@cooperlevenson.com  
gkraemer@cooperlevenson.com

7 Attorneys for Defendant  
8 SMITH'S FOOD & DRUG CENTERS, INC.

9 **UNITED STATES DISTRICT COURT**

10 **DISTRICT OF NEVADA**

11 ANNA MARIE FRETELUCO,

Case No. 2:19-cv-00759-JCM-EJY

12 Plaintiff,

13 vs.

14 SMITH'S FOOD AND DRUG CENTERS,  
15 INC., a foreign corporation; DOES 1-10; ROE  
CORPORATIONS 10-10; inclusive

**STIPULATION AND ORDER TO  
CONTINUE TRIAL**

(Second Request)

16 Defendants.

17  
18 Pursuant to Local Rules IA 6-1 and 26-3, the Parties, by and through their respective counsel  
19 of record, stipulate and agree that the current trial date of September 26, 2022, and all trial related  
20 deadlines be vacated and continued to March 2023, or a date thereafter convenient for the Court.

21 This Stipulation is entered into for the following reasons:

22 1. Plaintiff and Defense counsel both have multiple unanticipated and, in many respects,  
23 unavoidable conflicts with the current trial date, including the following trial settings:

24 *Zamir v Holly* (Case No. A-21-835517-C) is a short trial scheduled for September 30, 2022;  
25 *Van Cleave vs Mueller* (Case No. A-18-774492-C) is the first case on the trial stack in Department  
26 10 on the October 10, 2022 stack; *Wyatt vs Kington* (Case No. A-20-813865-C) is set for trial on the  
27 October 10, 2022 stack in Dept. 15. Counsel also has four mediations set before September 28, 2022.

28 *Miquel Martinez v. Smith's* (Case No. 2:21-cv-01199-GMN-NJK) is set for trial on October

1 17, 2022; *Edwina Bailey v. Smith's* (Case No. 2:20-cv-00328-JAD-VCF) is set for trial on  
2 November 5, 2022. *Kathy Verne v. Smith's* (2:20-cv-01633-JCM-EJY) is set for trial on December 5,  
3 2022.

4 2. Due to the trial settings in *Van Cleave, and Wyatt*, Plaintiff's counsel's time will be  
5 consumed litigating these matters. Accordingly, the parties submit this stipulation, requesting the  
6 trial of this matter be continued to March 2023, or a date thereafter convenient for the Court.

7 3. The continuance requested herein is not sought for purposes of delay, but merely to  
8 accommodate the schedule of counsel and allow sufficient time to effectively prepare for trial in this  
9 matter.

10 THE GALLIHER LAW FIRM

COOPER LEVISON, P.A.

11 /s/ Keith E. Galliher, Jr.  
12 KEITH E. GALLIHER, JR., ESQ.  
Nevada Bar No. 00220  
13 1850 East Sahara Avenue - #107  
Las Vegas, NV 89104  
(702) 735-0049  
14 Attorney for Plaintiff  
ANNA MARIE FRETELUCO

15 /s/ Gregory A. Kraemer  
16 GREGORY A. KRAEMER, ESQ.  
Nevada Bar No. 010911  
3016 West Charleston Boulevard - #195  
Las Vegas, Nevada 89102  
(702) 366-1125  
17 Attorneys for Defendant  
SMITH'S FOOD & DRUG CENTERS, INC.

**ORDER**

18 IT IS THEREFORE ORDERED the jury trial date in the above-entitled matter  
19 currently scheduled for September 26, 2022 and all trial related deadlines be vacated and  
continued to **March 13, 2023, at 9:00 a.m.** Calendar will be continued to **March 8, 2023, at**  
20 **1:30 p.m.**

21 DATED: July 18, 2022

22  
23   
24 UNITED STATES DISTRICT JUDGE